

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

In re: CORE SCIENTIFIC, INC., <i>et al.</i>, Debtors.¹	§ § § § §	Chapter 11 Case No. 22-90341 (CML) (Jointly Administered)
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SPHERE 3D CORP.'S WITNESS AND EXHIBIT LIST

[Relates to Docket Nos. 1188, 1464, 1474, 1479]

Sphere 3D Corp. (“**Sphere**”) file this Witness and Exhibit List for the hearing to be held on **December 1, 2023, at 9:00 a.m. (prevailing Central Time)** (the “**Hearing**”).

WITNESSES

Sphere may call any of the following witnesses at the Hearing:

1. Any witness called or listed by any other party; and
2. Rebuttal witnesses as necessary.

EXHIBITS

Sphere may offer into evidence any one or more of the following exhibits at the Hearing:

¹ The debtors in these chapter 11 cases, along with the last four digits of each Debtor’s federal tax identification number, are as follows: Core Mining LLC (6971); Core Scientific, Inc. (3837); Core Scientific Acquired Mining LLC (N/A); Core Scientific Operating Company (5526); Radar Relay, Inc. (0496); Core Scientific Specialty Mining (Oklahoma) LLC (4327); American Property Acquisition, LLC (0825); Starboard Capital LLC (6677); RADAR LLC (5106); American Property Acquisitions I, LLC (9717); and American Property Acquisitions, VII, LLC (3198) (collectively, the “**Debtors**”). The Debtors’ corporate headquarters and service address is 210 Barton Springs Road, Suite 300, Austin, Texas 78704.

Ex. #	Description	Offered	Objection	Admitted/ Not Admitted	Disposition
1	August 7, 2023 Hr'g Tr. [Docket No. 1136]				
2.	October 23, 2023 Email Re: Trial Postponement [Docket No. 1476-2] [SEALED]				
3.	November 17, 2023 Email Re: Deposition Schedule [Docket No. 1476-3]				
4.	November 13, 2023 Email Re: Levitt Deposition [Docket No. 1476-4]				
5.	November 21, 2023 Email Re: Filing of Adversary Complaint [Docket No. 1476-5]				
6.	November 21, 2023 Email Re: <i>Ex Parte</i> Communication [Docket No. 1476-6]				
7.	November 21, 2023 Email Re: <i>Ex Parte</i> Communication Cancelling Deposition [Docket No. 1476-7]				
8.	September 13, 2023 Hr'g Tr. [Docket No. 1250]				
9.	November 15, 2023 Email Re: Amended Interrogatory Responses [Docket No. 1476-9]				
10.	October 26, 2023 Email Re: Foregoing Summary Judgment Motions [Docket No. 1476-10] [SEALED]				
11.	<i>Debtors' Objection to Proofs of Claim Nos. 358 and 359 Filed by Sphere 3D Corp.</i> [Docket No. 869]				
12.	<i>Sphere 3D Corp.'s Response to Debtors' Objection to Proofs of Claim Nos. 358 and 359 Filed by Sphere 3D Corp.</i> [Docket No. 1044] [REDACTED]				
13.	<i>Debtors' Motion for Summary Judgment With Respect to Proof of Claim Nos 358 and 359 Filed by Sphere 3D Corp.</i> [Docket No. 959]				

14.	<i>Sphere 3D Corp.’s Objection to Debtors’ Motion for Summary Judgment With Respect to Proof of Claim Nos. 358 and 359 Filed by Sphere 3D Corp. [Docket No. 1039] [REDACTED]</i>				
15.	<i>Reply in Further Support of Debtors’ Motion for Summary Judgment With Respect to Proof of Claim Nos. 358 and 359 Filed by Sphere 3D Corp. [Docket No. 1094]</i>				
16.	Sphere 3D Corp.’s August 7, 2023 MSJ Hearing Demonstrative				
17.	<i>Declaration of Russell Cann in Support of Debtors’ Motion for Summary Judgment [Docket No. 960]</i>				
18.	Email Produced by Debtors in Discovery [Docket No. 1476-18]				
19.	Debtors’ Responses and Objections to Sphere 3D Corp.’s Second Set of Request for Admissions [Docket No. 1476-19]				
20.	Email Produced in Discovery [Docket No. 1476-20] [SEALED]				
21.	Email Produced in Discovery [Docket No. 1476-21]				
22.	Email Produced in Discovery [Docket No. 1476-22]				
23.	Audit Letter Produced in Discovery [Docket No. 1476-23]				
24.	Capacity and Deployment Plan Produced in Discovery [Docket No. 1476-24] [REDACTED]				
25.	Presentation Produced in Discovery [Docket No. 1476-25] [SEALED]				
26.	Sphere 3D Corp.’s First Set of Interrogatories to the Debtors [Docket No. 1476-26]				
27.	Debtors’ Responses and Objections to Sphere 3D Corp.’s First Set of Interrogatories [Docket No. 1476-27]				
28.	Debtors’ Supplemental Responses to Sphere 3D Corp.’s First Set of Interrogatories [Docket No. 1476-28]				

29.	Debtors' Amended Responses to Sphere 3D Corp.'s Interrogatory Nos. 1, 4, 9, 10, and 22 [Docket No. 1476-29]				
30.	November 22, 2023 Email Re: Deposition [Docket No. 1476-30]				
	Any documents filed in the above-captioned bankruptcy case.				
	Any exhibit listed or introduced by any other party.				
	Rebuttal exhibits as necessary.				

Sphere reserves its right to amend or supplement this Witness and Exhibit List as necessary in advance of the Hearing.

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Dated: November 30, 2023

Respectfully submitted,

/s/ Timothy A. ("Tad") Davidson II

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CERTIFICATE OF SERVICE

I certify that on November 30, 2023, a true and correct copy of the foregoing document was served by the Electronic Case Filing System for the United States Bankruptcy Court for the Southern District of Texas on those parties registered to receive electronic notices.

/s/ Timothy A. ("Tad") Davidson II

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